

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LOUIS G. RASETTA and JOHN J. SHAUGHNESSY,
as they are TRUSTEES, INTERNATIONAL UNION
OF OPERATING ENGINEERS LOCAL 4 HEALTH
AND WELFARE, PENSION AND ANNUITY FUNDS,
and LOUIS G. RASETTA and CHRISTOPHER
BARLETTA, as they are TRUSTEES, HOISTING AND
PORTABLE ENGINEERS LOCAL 4 APPRENTICE
AND TRAINING FUNDS and INTERNATIONAL
UNION OF OPERATING ENGINEERS, LOCAL 4,
Plaintiffs

C.A. No. 05-10425 RCL

vs.

SAI SURVEYING CORPORATION and
BARBARA SZEPATOWSKI,
Defendants

and

CITIZENS BANK,
Trustee

AFFIDAVIT OF GREGORY A. GEIMAN

1. My name is Gregory A. Geiman. I am an attorney with Segal, Roitman & Coleman and I represent the Plaintiffs in the above-captioned matter.
2. On November 21, 2005, the Plaintiff Funds served the following documents upon SAI Surveying Corporation (“SAI”) and Barbara Szepatowski (“Szepatowski”): (1) Plaintiffs’ Post-Judgment Request for Production of Documents to Defendant SAI Surveying Corporation; (2) Plaintiffs’ Post-Judgment Interrogatories to Defendant Barbara Szepatowski; and (3)

Plaintiffs' Post-Judgment Request for Production of Documents to Defendant Barbara Szepatowski. See Exhibits A, B, and C attached hereto.

3. In accordance with Szepatowski's request to me, these documents were sent via electronic mail ("e-mail") to "saisurvey@aol.com" in addition to being sent via certified mail and first class mail. See Exhibit D.

4. Further, the cover letter to this pro se defendant, which accompanied the Post-Judgment Discovery Requests, specifically pointed out that the responses were due within 30 days under the Federal Rules of Civil Procedure. See Exhibit E.

5. On January 9, 2006, nearly three weeks after the responses were due, I sent a letter to Szepatowski via certified, first class, and e-mail, which, in part, reminded her that responses to the Funds' Post-Judgment Discovery Requests had come due on December 21, 2005. See Exhibit F.

6. Ms. Szepatowski got into contact with me on January 11, 2006, at which time she stated that she had failed to receive the Funds' Post-Judgment Discovery Requests by either e-mail, first class mail, or certified mail, and requested that I re-send these documents via e-mail to her account at saisurvey@aol.com.

7. I re-sent the Post-Judgment Discovery Requests via e-mail that same day. See Exhibit G.

8. On January 17, 2006, Szepatowski sent an e-mail to me which acknowledged receipt of the January 11, 2006 e-mail in which I re-sent the Post-Judgment Discovery Requests, and which stated, "I plan on having the majority of the information requested in [the January 11, 2006 e-mail] ready for you by next Friday, January 27, 2006." See Exhibit H.

9. On February 2, 2006, with no responses having been sent, Szepatowski left a voicemail for me and stated that her responses would be prepared and delivered by the week ending February 10, 2006. Despite these assurances, no responses were forthcoming.

10. As such, on February 23, 2006, I sent another letter to Szepatowski via certified, first class, and e-mail, which, in part, again reminded her that responses to the Funds' Post-Judgment Discovery Requests had come due on December 21, 2005. See Exhibit I.

11. Szepatowski responded to this letter on February 28, 2006 in an e-mail sent by her to my secretary Teresa Sullivan, and which was forwarded by Ms. Sullivan to me. In this e-mail, Szepatowski apologized for her failure to respond and stated, "As a result of being out, I will need one additional week to finish the responses and complete my collections. I will have all of my responses and the remaining amount into your office no later than March 10, 2006." See Exhibit J.

12. However, I received neither the Defendants' responses, nor any further payments toward their fringe benefit contribution delinquency, after Szepatowski's February 28, 2006 e-mail.

13. As such, on April 24, 2006, I sent a letter to Szepatowski via certified, first class, and e-mail, in which I informed the Defendants that I had not yet received responses to the Funds' Post-Judgment Discovery Responses and that, as such, I would file the instant Motion to Compel if said responses were not received by Friday, May 5, 2006. See Exhibit K. The responses have not been received to date.

14. The Funds have incurred \$1,149.80 to date in attorneys' fees and costs related to filing this Motion to Compel.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 19th DAY OF MAY, 2006.

/s/ Gregory A. Geiman
Gregory A. Geiman, Esquire

CERTIFICATE OF SERVICE

This is to certify that a copy of the above Affidavit has been served by first class mail upon Defendants SAI Surveying Corp. and Barbara Szepatowski at 23 Narragansett Avenue, Jamestown, RI 02835 this 19th day of May, 2006.

/s/ Gregory A. Geiman
Gregory A. Geiman, Esquire

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LOUIS G. RASETTA and JOHN J. SHAUGHNESSY,
as they are TRUSTEES, INTERNATIONAL UNION
OF OPERATING ENGINEERS LOCAL 4 HEALTH
AND WELFARE, PENSION AND ANNUITY FUNDS,
and LOUIS G. RASETTA and CHRISTOPHER
BARLETTA, as they are TRUSTEES, HOISTING AND
PORTABLE ENGINEERS LOCAL 4 APPRENTICE
AND TRAINING FUNDS and INTERNATIONAL
UNION OF OPERATING ENGINEERS, LOCAL 4,

Plaintiffs

C.A. No. 05-10425 RCL

vs.

SAI SURVEYING CORPORATION and
BARBARA SZEPATOWSKI,
Defendants

and

CITIZENS BANK,
Trustee

**PLAINTIFFS' POST-JUDGMENT REQUEST FOR PRODUCTION OF
DOCUMENTS TO DEFENDANT SAI SURVEYING CORPORATION**

Pursuant to Rules 34 and 69, Fed. R. Civ. P., Plaintiffs Louis G. Rasetta and John J. Shaughnessy, as they are Trustees, et al. request that the Defendant SAI Surveying Corporation. ("SAI") produce and permit the Plaintiffs to inspect, copy, and/or photograph the following documents (including all computer-generated documents) and things, including the originals thereof, which are in the possession, custody, or control of the Defendant or any agents, officers, servants, and/or employees of the Defendant, or to which the Defendant or Defendant's agent has

access. Production is to occur at the office of Segal, Roitman and Coleman, 11 Beacon Street, Suite #500, Boston, Massachusetts 02108, at 10:00 a.m. on Wednesday, December 21, 2005.

DEFINITIONS AND INSTRUCTIONS

As used in these requests, the following terms have the following meanings:

- A. "Person" includes, in the plural as well as the singular, any natural person, firm, unincorporated association, partnership, corporation or other entity, unless the context indicates otherwise.
- B. "Document" means any printed, written, typed, recorded, transcribed, taped, photographic, or graphic matter, however produced or reproduced, including but not limited to: any letter, correspondence, or communication of any sort; film, print, or negative of photograph; sound recording, video recording; note, notebook, diary, calendar, minutes, memorandum, contract, agreement, or any amendment thereto; telex, telegram, cable; summary, report, or record of telephone conversation, personal conversation, discussion, interview, meeting, conference, investigation, negotiation, act or activity; projection, work paper, or draft; computer output or input, data processing card; opinion or report of consultant; request, order, invoice or bill of lading; analysis, diagram, map, index, sketch, drawing, plan, chart, manual, brochure, pamphlet, advertisement circular, newspaper or magazine clipping, press release; receipt, journal, ledger, payroll record, remittance report, schedule, bill, or voucher; financial statement, statement of account, bank statement, checkbook, stubs, or register, cancelled check, deposit slip, charge slip, tax return (income or other), requisition; file, study, graph, tabulation, and any and all other writings and recordings of whatever nature, whether signed or unsigned or transcribed, and any other data compilation from which information can be obtained, translated, if necessary, by the respondent through detection devices into reasonably usable form.

C. "Document" also means (a) the original and/or any non-identical original or copy including those with any marginal note or comment, or showing additions, deletions, or substitutions; (b) drafts; (c) attachment to or enclosure with any document; and (d) every document referred to in any other documents.

D. "Document" also includes any electronic mail (e-mail) messages.

E. The words "you" and "your" refer to SAI and SAI's agents, representatives, attorneys and all other persons acting or purporting to act on behalf of SAI.

F. The singular of each term also encompasses the plural, and vice-versa.

G. The disjunctive "or" also includes the conjunctive "and."

H. The word "each," "every," "any" and "all" shall be deemed to include all of these words.

I. The term "concerning" means referring to, describing, evidencing, or constituting.

J. Unless otherwise indicated, each request seeks documents for the period from January 1, 2002 to the present time.

K. If there are no documents in existence that are requested in a particular paragraph of this Request, your response must include a statement to that fact.

L. If any of these requests call for documents which you contend are protected by the attorney-client privilege or another claimed privilege or by the work product rule, you should identify such document nevertheless (except for the specific text or words used) and also state all reasons for your claim that the document is so privileged or protected.

REQUESTS

1. All documents concerning your ownership interest in real estate.

2. All documents concerning conveyances of real estate by you since January 1, 2000.
3. All documents concerning real property held for you or on your behalf by any person.
4. All documents concerning real estate mortgages on which you are the mortgagee.
5. All documents concerning any automobiles, trucks, vessels, aircraft, or other vehicles that you own.
6. All documents concerning equipment that you own.
7. All documents concerning jobs on which you are now performing or on which you have performed since January 1, 2002.
8. All documents concerning any person that is indebted to you for more than \$500.00.
9. All documents concerning any interest you have in stocks, bonds, mutual funds, money market funds, or other securities or negotiable instruments.
10. All documents concerning your role as a trustee, grantor, or beneficiary of any trust fund.
11. All warehouse receipts, bills of lading, or other documents of title that you own.
12. All documents concerning a pending lawsuit in which you are the plaintiff, or concerning a verdict of judgment for which you are the plaintiff and which has not been satisfied in whole or in part.
13. All documents concerning any loan or mortgage application you have filed within the last two years.
14. All documents concerning your role as a co-maker, guarantor, or endorser of any loan over the past two years.

15. All financial statements, including any income tax statements, issued or furnished by you within the last three years.
16. All documents concerning money owed to you by any governmental body.
17. All documents concerning any claim you have made under any policy of insurance within the last two years.
18. All documents concerning any ownership or any interest you have in any partnerships, limited partnership, business, corporation or joint venture, other than SAI.
19. All documents concerning any interest you own or have in any asset or item of value individually or collectively worth in excess of \$500.00, other than any asset or item produced in response to one of the prior topics.

Respectfully submitted,

LOUIS G. RASETTA and JOHN J. SHAUGHNESSY, as they are TRUSTEES, INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 4 HEALTH AND WELFARE FUND, et al,

By their attorneys,

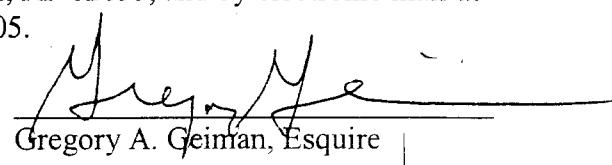
Anne R. Sills, Esquire
BBO #546576
Gregory A. Geiman, Esquire
BBO #655207
Segal, Roitman & Coleman
11 Beacon Street, Suite #500
Boston, MA 02108
(617) 742-0208

Dated: November 21, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Plaintiffs' Post-Judgment Request for Production of Documents has been served by certified and first class mail upon the defendant SAI Surveying

Corporation at 23 Narragansett Avenue, Jamestown, RI 02835, and by electronic mail at
saisurvey@aol.com, this 21st day of November, 2005.



Gregory A. Geiman, Esquire

GAG/gag&ts
ARS 6306 05-129/reqproddoc-postjudg2.doc

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LOUIS G. RASETTA and JOHN J. SHAUGHNESSY,
as they are TRUSTEES, INTERNATIONAL UNION
OF OPERATING ENGINEERS LOCAL 4 HEALTH
AND WELFARE, PENSION AND ANNUITY FUNDS,
and LOUIS G. RASETTA and CHRISTOPHER
BARLETTA, as they are TRUSTEES, HOISTING AND
PORTABLE ENGINEERS LOCAL 4 APPRENTICE
AND TRAINING FUNDS and INTERNATIONAL
UNION OF OPERATING ENGINEERS, LOCAL 4,
Plaintiffs

C.A. No. 05-10425 RCL

vs.

SAI SURVEYING CORPORATION and
BARBARA SZEPATOWSKI,
Defendants

and

CITIZENS BANK,
Trustee

PLAINTIFFS' POST-JUDGMENT INTERROGATORIES TO
DEFENDANT BARBARA SZEPATOWSKI

You are required to file answers under oath to the following interrogatories within thirty (30) days of receipt of the interrogatories, pursuant to Rules 33 and 69, Fed. R. Civ. P., with Gregory A. Geiman at Segal, Roitman & Coleman at 11 Beacon Street, Suite #500, Boston, Massachusetts 02108.

A. As used herein, the word "you" refers to Barbara Szepatowski ("Szepatowski") and to Szepatowski's agents, representatives, attorneys and all other persons acting or purporting to act on behalf of Szepatowski.

B. The singular of each term also encompasses the plural, and vice-versa.

C. The disjunctive "or" also includes the conjunctive "and."

D. The word "each," "every," "any" and "all" shall be deemed to include all of these words.

E. Communication. The term "communication" means the transmittal of information (in the form of facts, ideas, inquiries, or otherwise).

F. Document. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of this term in Fed. R. Civ. P. 34(a). A draft or non-identical copy is a separate document within the meaning of this term.

G. Identify (with respect to persons). When referring to a person, "to identify" means to give, to the extent known, the person's full name, present or last known address, and, when referring to a natural person, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

H. Identify (with respect to documents). When referring to documents, "to identify" means to give, to the extent known, the

- (a) type of document;
- (b) general subject matter;
- (c) date of the document; and
- (d) author(s), addressee(s), and recipient(s).

I. Parties. The terms "plaintiff" and "defendant" as well as a party's full or abbreviated name or a pronoun referring to a party mean the party and, where applicable, its officers, directors, employees, partners, corporate parent, subsidiaries, or affiliates. This

definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.

J. Person. The term "person" is defined as any natural person or any business, legal, or governmental entity or association.

K. Concerning. The term "concerning" means referring to, describing, evidencing, or constituting.

L. If a precise value, amount or date cannot be supplied in responses to an interrogatory, an approximate value, amount or date should be provided.

M. In response to each interrogatory, please state whether there are any documents, which verify, reflect or concern the information requested, and state for each document:

1. the title, contents and date of the document; and
2. the name and address of the person who has custody or control of the document.

IN LIEU OF RESPONDING IN THIS MANNER, YOU MAY PRODUCE A COPY OF THE DOCUMENT, PROVIDED THAT YOU CLEARLY INDICATE THE INTERROGATORY TO WHICH THE DOCUMENT RELATES.

N. If you refuse to answer any interrogatory or identify any document as requested herein, you must fully state why you refuse to provide the requested information.

O. If you object in whole or in part to any interrogatory and refuse to answer in part, you must answer any part of the interrogatory not expressly encompassed by your objection.

P. If you cannot fully respond to an interrogatory after exercising all due diligence, respond to the extent possible and state why you are unable to respond to the remainder. You must also indicate when you will be able to respond to the remainder, fully stating any reasons for delay in responding to the remainder.

Q. Where exact information cannot be furnished, please supply the requested information to the extent possible. In each such case, you must indicate that only approximated information is provided, and state why exact information cannot be furnished. You must also indicate whether and when you will be able to provide exact information, and state any reasons for delay in providing exact information.

R. These interrogatories are considered to be continuing in character. Your answers must be modified or supplemented as you obtain further information, until the full amount of the judgment rendered against you in this matter has been satisfied.

S. You are reminded that all answers must be made separately and completely, and that an incomplete or evasive answer is, legally, a failure to answer.

INTERROGATORIES

1. Do you own any interest in real estate? If so, as to each such interest, state:

- (a) The location of the real estate and the name in which it is held;
- (b) The nature of your interest in the real estate;
- (c) The date you acquired such interest;
- (d) The amount paid to acquire such interest; and
- (e) Whether there are any mortgages on such real estate. If there are any such mortgages, as to each mortgage, state:
 - (i) The identify of the mortgagee, including present address;
 - (ii) The amount of the original mortgage obligation; and
 - (iii) The outstanding obligation of that mortgage.

2. Do you own any interest in real estate at the following address: 455 Seaside Drive, Jamestown, Rhode Island?

3. Do you own any interest in real estate at the following address: 58 Dory Street, Jamestown, Rhode Island?
4. Do you own any interest in real estate on Greene Street in Jamestown, Rhode Island?
5. Do you own any interest in real estate on East Shore Road in Jamestown, Rhode Island?
6. Have you conveyed any interest in real estate to anyone since: January 1, 2000? If so, as to each such conveyance, state:
 - (a) The location and a description of the real estate;
 - (b) The interest you conveyed;
 - (c) The identity of the person to whom you conveyed that interest, including their present address; and
 - (d) The consideration you received.
7. Does any person hold any real property for you or on your behalf? If so, as to each property state:
 - (a) The address of the property;
 - (b) The name of the legal owner of the property; and
 - (c) The nature of your interest in the property.
8. Do you hold as mortgagee a mortgage on any real estate? If so, as to each such mortgage state:
 - (a) The location and a description of the real estate;
 - (b) The date on which you acquired the mortgage;
 - (c) The original principal amount of the mortgage;
 - (d) The outstanding balance due on the mortgage; and
 - (e) The identity of the mortgagor, including present address.
9. Do you own any automobiles, trucks, vessels, aircraft, or other vehicles? If so, as to each such vehicle state:

- (a) The make, model and year of the vehicle;
- (b) The identity, including present address of the registered owner of the vehicle;
- (c) The governmental agency registering the vehicle and the vehicle registration number;
- (d) The location of the vehicle; and
- (e) Any security interests in the vehicle, and if any, identify the secured creditor(s).

10. Do you own any equipment? If so, as to each such piece of equipment state:

- (a) The type, make, model, year of the equipment;
- (b) The identity, including present address of the registered owner of the equipment;
- (c) The location of the equipment; and
- (d) Any security interests in the equipment, and if any, identify the secured creditor(s).

11. Are you a party to a contract of any kind? If so, as to each such contract state:

- (a) The identity of such contract;
- (b) The nature and terms of such contract, including the value and effective dates of the contract;
- (c) The identity of the person or entity with whom you entered into the contract, including present address; and
- (d) The amount of money presently owed to you, if any, on the contract.

12. Is anyone indebted to you in an amount in excess of \$500.00? If so, for each such indebtedness state:

- (a) The identity of the individual or entity indebted to you, including present address;
- (b) The title and registered owner or holder of the account or

certificate of deposit, including present address;

- (c) The account number;
- (d) A full and complete description of the nature of the account or certificate of deposit; and
- (e) The current balance of the account or certificate of deposit.

13. Do you own or have any interest in any stocks, bonds, mutual funds, money market funds, or other securities or negotiable instruments? If so, as to each such interest state:

- (a) A full description of the stock, bond, security or negotiable instrument;
- (b) The par or face value of such stock, bond, security or negotiable instrument;
- (c) The registered and beneficial holders of the stock certificate, bond, security or negotiable instrument, including present address;
- (d) The dates on which interest or dividends are payable;
- (e) The maturity date of any bond;
- (f) The identity of the custodian of any and all documents evidencing the interest, including present address; and
- (g) The location of any and all such documents.

14. Are you a trustee, grantor or beneficiary of any trust fund? If so, as to each such trust fund state:

- (a) The nature and terms of the trust;
- (b) The nature and value of the property held in the trust;
- (c) The nature of your interest therein; and
- (d) The identity of each grantor, trustee, or beneficiary, including present address.

15. Do you own any warehouse receipts, bills of lading or other documents of title? If so, as to each item state:

- (a) The identity of such item;
- (b) The location of such item;
- (c) Whether or not such item is subject to any security interest; and
- (d) The identity of the holder of any such security interest, including present address.

16. Are you the plaintiff in any lawsuit which is pending or in which a verdict or judgment has not been satisfied in whole or in part? If so, state all details thereof, including court and docket number.

17. Have you applied for a loan or mortgage within the last two years? If so, as to each such loan or mortgage application state:

- (a) Where you applied for such loan;
- (b) Whether or not you were granted such loan;
- (c) The amount granted for such loan; and
- (d) What you did with the proceeds of such loan, if any.

18. In the last two years, have you acted as co-maker, guarantor or endorser of any loan? If so, provide full details as to each such loan and your relationship thereto, including the amount of the loan and the identity of any person, including present address, who receives or utilizes the loan.

19. Have you issued or furnished any financial statements, including any income tax statements, within the last three years? If so, as to each such financial statement state:

- (a) The identity of such financial statement;
- (b) To whom such financial statement was issued; and
- (c) Detail the financial data or information reflected in each such statement or, in lieu thereof, attach a copy of each such statement.

20. Does any governmental body owe you money, or do you owe any governmental body any money? If so, provide full and complete details thereof, including the amount of money presently owed, and any payment plan in progress.

21. Have you made any claim under any policy of insurance within the last two years?

If so, as to each such claim state:

- (a) The name of the insurer, including present address;
- (b) The policy number;
- (c) The facts giving rise to such claim; and
- (d) Whether or not such claim has been paid.

22. Do you own or have any interest in any partnerships or limited partnerships? If so, as to each such interest state:

- (a) A full and complete description of the partnership, limited partnership or other entity, including but not limited to its name, purpose, assets, registered address, and the identity of each of its general partners;
- (b) The identity of the agreement or agreements governing the affairs of the partnership;
- (c) The nature and extent of the interest;
- (d) The value of the interest, if any; and
- (e) The name under which the interest is owned or otherwise held by you.

23. Do you own or have any interest in any business, corporation, partnership, or joint venture other than SAI Surveying Corporation? If so, as to each state:

- (a) The identity and address of the business, corporation, partnership or joint venture; and
- (b) a full and complete description of your interest in same.

24. Do you own or have any interest in any asset or item of value individually or collectively worth in excess of \$500.00 other than those identified in response to the foregoing interrogatories? If so, for each such asset or item state:

- (a) A full and complete description of the asset or item;
- (b) The nature of your interest in the assets or item;
- (c) The value of the asset or item; and

(d) The location of the asset or item.

Respectfully submitted,

LOUIS G. RASETTA and JOHN J. SHAUGHNESSY, as they are TRUSTEES, INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 4 HEALTH AND WELFARE FUND, et al,

By their attorneys,



Anne R. Sills, Esquire
BBO #546576
Gregory A. Geiman, Esquire
BBO #655207
Segal, Roitman & Coleman
11 Beacon Street, Suite #500
Boston, MA 02108
(617) 742-0208

Dated: November 21, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Plaintiffs' Post-Judgment Interrogatories has been served by certified and first class mail upon the defendant Barbara Szepatowski at 23 Narragansett Avenue, Jamestown, RI 02835, and by electronic mail at saisurvey@aol.com, this 21st day of November, 2005.



Gregory A. Geiman, Esquire

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LOUIS G. RASETTA and JOHN J. SHAUGHNESSY,
as they are TRUSTEES, INTERNATIONAL UNION
OF OPERATING ENGINEERS LOCAL 4 HEALTH
AND WELFARE, PENSION AND ANNUITY FUNDS,
and LOUIS G. RASETTA and CHRISTOPHER
BARLETTA, as they are TRUSTEES, HOISTING AND
PORTABLE ENGINEERS LOCAL 4 APPRENTICE
AND TRAINING FUNDS and INTERNATIONAL
UNION OF OPERATING ENGINEERS, LOCAL 4,

Plaintiffs

C.A. No. 05-10425 RCL

vs.

SAI SURVEYING CORPORATION and
BARBARA SZEPATOWSKI,
Defendants

and

CITIZENS BANK,
Trustee

**PLAINTIFFS' POST-JUDGMENT REQUEST FOR PRODUCTION OF
DOCUMENTS TO DEFENDANT BARBARA SZEPATOWSKI**

Pursuant to Rules 34 and 69, Fed. R. Civ. P., Plaintiffs Louis G. Rasetta and John J. Shaughnessy, as they are Trustees, et al. request that the Defendant Barbara Szepatowski ("Szepatowski") produce and permit the Plaintiffs to inspect, copy, and/or photograph the following documents (including all computer-generated documents) and things, including the originals thereof, which are in the possession, custody, or control of the Defendant or any agents, officers, servants, and/or employees of the Defendant, or to which the Defendant or Defendant's agent has access. Production is to occur at the office of Segal, Roitman and Coleman, 11 Beacon

Street, Suite #500, Boston, Massachusetts 02108, at 10:00 a.m. on Wednesday, December 21, 2005.

DEFINITIONS AND INSTRUCTIONS

As used in these requests, the following terms have the following meanings:

A. "Person" includes, in the plural as well as the singular, any natural person, firm, unincorporated association, partnership, corporation or other entity, unless the context indicates otherwise.

B. "Document" means any printed, written, typed, recorded, transcribed, taped, photographic, or graphic matter, however produced or reproduced, including but not limited to: any letter, correspondence, or communication of any sort; film, print, or negative of photograph; sound recording, video recording; note, notebook, diary, calendar, minutes, memorandum, contract, agreement, or any amendment thereto; telex, telegram, cable; summary, report, or record of telephone conversation, personal conversation, discussion, interview, meeting, conference, investigation, negotiation, act or activity; projection, work paper, or draft; computer output or input, data processing card; opinion or report of consultant; request, order, invoice or bill of lading; analysis, diagram, map, index, sketch, drawing, plan, chart, manual, brochure, pamphlet, advertisement circular, newspaper or magazine clipping, press release; receipt, journal, ledger, payroll record, remittance report, schedule, bill, or voucher; financial statement, statement of account, bank statement, checkbook, stubs, or register, cancelled check, deposit slip, charge slip, tax return (income or other), requisition; file, study, graph, tabulation, and any and all other writings and recordings of whatever nature, whether signed or unsigned or transcribed, and any other data compilation from which information can be obtained, translated, if necessary, by the respondent through detection devices into reasonably usable form.

C. "Document" also means (a) the original and/or any non-identical original or copy including those with any marginal note or comment, or showing additions, deletions, or substitutions; (b) drafts; (c) attachment to or enclosure with any document; and (d) every document referred to in any other documents.

D. "Document" also includes any electronic mail (e-mail) messages.

E. The words "you" and "your" refer to Szepatowski and Szepatowski's agents, representatives, attorneys and all other persons acting or purporting to act on behalf of Szepatowski.

F. The singular of each term also encompasses the plural, and vice-versa.

G. The disjunctive "or" also includes the conjunctive "and."

H. The word "each," "every," "any" and "all" shall be deemed to include all of these words.

I. The term "concerning" means referring to, describing, evidencing, or constituting.

J. Unless otherwise indicated, each request seeks documents for the period from January 1, 2002 to the present time.

K. If there are no documents in existence that are requested in a particular paragraph of this Request, your response must include a statement to that fact.

L. If any of these requests call for documents which you contend are protected by the attorney-client privilege or another claimed privilege or by the work product rule, you should identify such document nevertheless (except for the specific text or words used) and also state all reasons for your claim that the document is so privileged or protected.

REQUESTS

1. All documents concerning your ownership interest in real estate.

2. All documents concerning conveyances of real estate by you since January 1, 2000.
3. All documents concerning real property held for you or on your behalf by any person.
4. All documents concerning real estate mortgages on which you are the mortgagee.
5. All documents concerning any automobiles, trucks, vessels, aircraft, or other vehicles that you own.
6. All documents concerning equipment that you own.
7. All documents concerning any person that is indebted to you for more than \$500.00.
8. All documents concerning any interest you have in stocks, bonds, mutual funds, money market funds, or other securities or negotiable instruments.
9. All documents concerning your role as a trustee, grantor, or beneficiary of any trust fund.
10. All warehouse receipts, bills of lading, or other documents of title that you own.
11. All documents concerning a pending lawsuit in which you are the plaintiff, or concerning a verdict of judgment for which you are the plaintiff and which has not been satisfied in whole or in part.
12. All documents concerning any loan or mortgage application you have filed within the last two years.
13. All documents concerning your role as a co-maker, guarantor, or endorser of any loan over the past two years.
14. All financial statements, including any income tax statements, issued or furnished by you within the last three years.

15. All documents concerning money owed to you by any governmental body.
16. All documents concerning any claim you have made under any policy of insurance within the last two years.
17. All documents concerning any ownership or any interest you have in any partnerships, limited partnership, business, corporation or joint venture, other than SAI Surveying Corp.
18. All documents concerning any interest you own or have in any asset or item of value individually or collectively worth in excess of \$500.00, other than any asset or item produced in response to one of the prior topics.

Respectfully submitted,

LOUIS G. RASETTA and JOHN J. SHAUGHNESSY, as they are TRUSTEES, INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 4 HEALTH AND WELFARE FUND, et al,

By their attorneys,

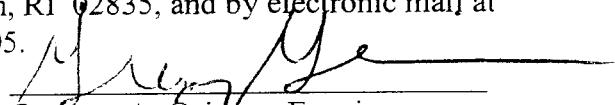


Anne R. Sills, Esquire
BBO #546576
Gregory A. Geiman, Esquire
BBO #655207
Segal, Roitman & Coleman
11 Beacon Street, Suite #500
Boston, MA 02108
(617) 742-0208

Dated: November 21, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Plaintiffs' Post-Judgment Request for Production of Documents has been served by certified and first class mail upon the defendant Barbara Szepatowski at 23 Narragansett Avenue, Jamestown, RI 02835, and by electronic mail at saisurvey@aol.com, this 21st day of November, 2005.



Gregory A. Geiman, Esquire

GAG/gag&ts
ARS 6306 03-255/reqproddoc-postjudg.doc

Gregory A. Geiman

From: Gregory A. Geiman
Sent: Monday, November 21, 2005 5:02 PM
To: 'Saisurvey@aol.com'
Subject: Rasetta and Shaughnessy et al. v. SAI Surveying et al. CA No. 05-10425 RCL

Ms. Szepatowski:

Attached to this e-mail (and also being sent to you by first class and certified mail) are the following documents:

1. Plaintiffs' Post-Judgment Request for Production of Documents to Defendant SAI Surveying Corp.;
2. Plaintiffs' Post-Judgment Interrogatories to Defendant Barbara Szepatowski;
3. Plaintiffs' Post-Judgment Request for Production of Documents to Defendant Barbara Szepatowski;
and
4. The accompanying cover letter.

Please let me know if you have any difficulty with the receipt of these documents.

I also wanted to remind you that I have not yet received a proposed payment plan from you. I look forward to receiving your proposal, and I hope that the parties will be able to develop a mutually-agreeable resolution to this matter.

In the meantime, this e-mail also will serve as a reminder that, per Judge Lindsay's instructions, SAI's Answers to the Plaintiffs' Post-Judgment Interrogatories are due on Tuesday, November 29.

Thank you.

Sincerely,
Greg Geiman
Segal, Roitman, and Coleman
11 Beacon Street, Suite 500
Boston, MA 02108
617-742-0208

SEGAL, ROITMAN & COLEMAN

DONALD J. SIEGEL
PAUL F. KELLY
IRA SILLS
MARY THOMAS SULLIVAN*
SHELLEY B. KROLL
BURTON E. ROSENTHAL
ANNE R. SILLS
KATHRYN S. SHEA
INDIRA TALWANI**
ELIZABETH ARIENTI SLOANE
MICHAEL J. DOHENY
STEPHANIE R. PRATT
GREGORY A. GEIMAN
RACHEL E. ROSENBLUM

COUNSELLORS AT LAW
11 BEACON STREET
SUITE 500
BOSTON, MASSACHUSETTS 02108

ROBERT M. SEGAL (1915-1999)
OF COUNSEL
RICHARD W. COLEMAN
HAROLD B. ROITMAN
JOANNE F. GOLDSTEIN
JOSEPH P. MCKENNA, Jr.
PAUL S. HOROVITZ

November 21, 2005

* Also Admitted to the
New Hampshire Bar

**Also Admitted to
the California Bar

BY CERTIFIED MAIL, RETURN RECEIPT
REQUESTED, FIRST CLASS MAIL AND ELECTRONIC MAIL

Barbara Szepatowski, President
SAI Surveying Corporation
23 Narraganset Avenue
Jamestown, RI 02835

Re: Louis G. Rasetta and John J. Shaughnessy, as they are Trustees, International Union of Operating Engineers Local 4 Health and Welfare, Pension and Annuity Funds, et al vs. SAI Surveying Corporation and Barbara Szepatowski
C.A. No. 05-10425 RCL

Dear Ms. Szepatowski:

Enclosed please find:

1. Plaintiffs' Post-Judgment Request for Production of Documents to Defendant SAI Surveying Corporation;
2. Plaintiffs' Post-Judgment Interrogatories to Defendant Barbara Szepatowski; and
3. Plaintiffs' Post-Judgment Request for Production of Documents to Defendant Barbara Szepatowski.

Please note that, under the Federal Rules of Civil Procedure, responses to these discovery requests must be received within 30 days.

Sincerely,



Gregory A. Geiman

cc: Gina Alongi
Jim Bucci

GAG/gag&ts
ARS 3118 03-255/szpatowski12.doc

SEGAL, ROITMAN & COLEMAN

DONALD J. SIEGEL
PAUL F. KELLY
IRA SILLS
MARY THOMAS SULLIVAN*
SHELLEY B. KROLL
BURTON E. ROSENTHAL
ANNE R. SILLS
KATHRYN S. SHEA
INDIRA TALWANI**
ELIZABETH ARIENTI SLOANE
MICHAEL J. DOHENY
STEPHANIE R. PRATT
GREGORY A. GEIMAN
RACHEL E. ROSENBLUM

COUNSELLORS AT LAW
11 BEACON STREET
SUITE 500
BOSTON, MASSACHUSETTS 02108

ROBERT M. SEGAL (1915-1999)
OF COUNSEL
RICHARD W. COLEMAN
HAROLD B. ROITMAN
JOANNE F. GOLDSTEIN
JOSEPH P. MCKENNA, JR.
PAUL S. HOROVITZ

* Also Admitted to the
New Hampshire Bar

**Also Admitted to
the California Bar

January 9, 2005

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED,
FIRST CLASS MAIL, AND ELECTRONIC MAIL

Barbara Szepatowski, President
SAI Surveying Corporation
23 Narraganset Avenue
Jamestown, RI 02835

Re: William Ryan and John J. Shaughnessy, as they are Trustees, International Union
of Operating Engineers Local 4 Health and Welfare, Pension and Annuity Funds,
et al vs. SAI Surveying Corporation
C.A. No. 03-12383 RCL

Dear Ms. Szepatowski:

I am writing to confirm my receipt of a bank check in the amount of \$10,000.00, payable to the I.U.O.E. Local 4 Trust Funds. Thank you for this remittance toward your delinquency.

I am also writing to remind you that your responses to the following documents, which were sent to you via certified, first class, and electronic mail on November 21, 2005, were due under the Federal Rules of Civil Procedure on December 21, 2005:

1. Plaintiffs' Post-Judgment Request for Production of Documents to Defendant SAI Surveying Corporation;
2. Plaintiffs' Post-Judgment Interrogatories to Defendant Barbara Szepatowski; and
3. Plaintiffs' Post-Judgment Request for Production of Documents to Defendant Barbara Szepatowski.



Please send the responses to the above discovery requests to my attention as soon as possible. Further, I continue to await your supplemental answers to the Funds' Post-Judgment Interrogatories to SAI Surveying Corporation.

Thank you.

Sincerely,



Gregory A. Geiman

cc: Gina Alongi
Jim Bucci

2005 1160 0004 7583 4669

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> <i>Barbara Szepatowski</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> C. Date of Delivery <input type="checkbox"/> 11/16</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>1. Article Addressed to:</p> <p>Barbara Szepatowski, President SAI Surveying Corporation 23 Narraganset Avenue Jamestown, RI 02835</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>2. Article Number <i>(Transfer from service label)</i> 7005 1160 0004 7583 4669</p>	
<p>PS Form 3811, February 2004</p> <p>Domestic Return Receipt</p> <p>102595-02-M-1540</p>			

Gregory A. Geiman

From: Gregory A. Geiman
Sent: Wednesday, January 11, 2006 12:59 PM
To: 'Saisurvey@aol.com'
Subject: FW: Rasetta and Shaughnessy et al. v. SAI Surveying et al. CA No. 05-10425 RCL

Per our telephone conversation this morning, I am re-sending this e-mail originally sent on November 21, 2005.

From: Gregory A. Geiman
Sent: Monday, November 21, 2005 5:02 PM
To: 'Saisurvey@aol.com'
Subject: Rasetta and Shaughnessy et al. v. SAI Surveying et al. CA No. 05-10425 RCL

Ms. Szepatowski:

Attached to this e-mail (and also being sent to you by first class and certified mail) are the following documents:

1. Plaintiffs' Post-Judgment Request for Production of Documents to Defendant SAI Surveying Corp.;
2. Plaintiffs' Post-Judgment Interrogatories to Defendant Barbara Szepatowski;
3. Plaintiffs' Post-Judgment Request for Production of Documents to Defendant Barbara Szepatowski;
and
4. The accompanying cover letter.

Please let me know if you have any difficulty with the receipt of these documents.

I also wanted to remind you that I have not yet received a proposed payment plan from you. I look forward to receiving your proposal, and I hope that the parties will be able to develop a mutually-agreeable resolution to this matter.

In the meantime, this e-mail also will serve as a reminder that, per Judge Lindsay's instructions, SAI's Answers to the Plaintiffs' Post-Judgment Interrogatories are due on Tuesday, November 29.

Thank you.

Sincerely,
Greg Geiman
Segal, Roitman, and Coleman
11 Beacon Street, Suite 500
Boston, MA 02108
617-742-0208

Gregory A. Geiman

From: Saisurvey@aol.com
Sent: Tuesday, January 17, 2006 6:45 AM
To: Gregory A. Geiman
Subject: Update

Mr. Geiman

I came into work this morning to find the \$5000 check still sitting on the counter for Fed Exp to pick up. You will see by the date on the bank check that I did plan on sending it last week. Apparently no one has been in the office. There are 4 individuals/small businesses sharing the office space. We rarely see each other and have no connection other than a brief "hello".

I will take the \$5,000 package over to a secure Fed Exp center in Middletown this morning. We have a box outside our building but the kids love to put/pour disgusting things into it at night. So if I miss the day's pickup, the package has to stay in the box overnight and then possibly be subject to whatever the kids feel like doing during the evening.

In regard to the questions from your 1/11/06 e-mails -- it is taking me a long time to complete your questions on things valued at over \$50, because, the majority of my personal stuff has been packed up and stored since my Mother became ill 4 years ago. So I have to go through my personal possessions box by box. The same goes for the office stuff -- we have a new landlord as of April 2005. He sent us 6 eviction letters (each one with a new eviction date 30 days into the future). He also took us to court 2 times, but now wants us to stay. So, I have wasted countless days packing and unpacking so he can wear us down and get what he wants -- not having to fix the building up, even though it has faulty electrical, a leaking roof and other issues. I cannot move because there is no other space available in Jamestown. I plan on having the majority of the information requested in each of the four 1/11/06 e-mails ready to send you by next Friday, January 27, 2006.

In regard to your question concerning a payment plan. I can commit to paying off the remainder of what is owed on the \$47,000+ by the end of February 2006, as long as I have some time to work. The next payment of \$10,000 will be made by the end of January 2006. This will leave around \$12,000 for the month of February 2006.

Please call me to confirm that you have received this mail. Please leave me a message as I have an "EMG" scheduled for this morning, so I will not be back until later on today.

Barbara Szepatowski
cell 401-354-9200

SEGAL, ROITMAN & COLEMAN

DONALD J. SIEGEL
PAUL F. KELLY
IRA SILLS
MARY THOMAS SULLIVAN*
SHELLEY B. KROLL
BURTON E. ROSENTHAL
ANNE R. SILLS
KATHRYN S. SHEA
INDIRA TALWANI**
ELIZABETH ARIENTI SLOANE
MICHAEL J. DOHENY
STEPHANIE R. PRATT
GREGORY A. GEIMAN
RACHEL E. ROSENBLUM

COUNSELLORS AT LAW
11 BEACON STREET
SUITE 500
BOSTON, MASSACHUSETTS 02108

ROBERT M. SEGAL (1915-1999)
OF COUNSEL
RICHARD W. COLEMAN
HAROLD B. ROITMAN
JOANNE F. GOLDSTEIN
JOSEPH P. MCKENNA, Jr.
PAUL S. HOROVITZ

* Also Admitted to the
New Hampshire Bar

**Also Admitted to
the California Bar

February 23, 2006

BY ELECTRONIC MAIL, CERTIFIED MAIL, RETURN
RECEIPT REQUESTED, AND FIRST CLASS MAIL

Barbara Szepatowski, President
SAI Surveying Corporation
23 Narraganset Avenue
Jamestown, RI 02835

Re: William Ryan and John J. Shaughnessy, as they are Trustees, International Union
of Operating Engineers Local 4 Health and Welfare, Pension and Annuity Funds,
et al vs. SAI Surveying Corporation
C.A. No. 03-12383 RCL

Dear Ms. Szepatowski:

I am writing in response to your voicemail of February 2, 2006.

In your voicemail to me, you stated that you would complete responding to the Funds' discovery requests of SAI Surveying Corporation and of you, personally, by the end of the following week (the week ending February 10). You stated that you were waiting for an appraiser to look at certain of your assets.

As you know from my previous correspondence, responses were due under the Federal Rules of Civil Procedure on December 21, 2005. However, as of this date, I have still not received responses to the following documents:

1. Plaintiffs' Post-Judgment Request for Production of Documents to Defendant SAI Surveying Corporation;
2. Plaintiffs' Post-Judgment Interrogatories to Defendant Barbara Szepatowski; and

3. Plaintiffs' Post-Judgment Request for Production of Documents to Defendant Barbara Szepatowski.

Further, I have still not received a fully completed response to the Funds' Post-Judgment Interrogatories to Defendant SAI Surveying Corporation, which were due per Court Order on November 29, 2005. As you know, per your request, I sent you e-mails on November 30, 2005, and again on January 11, 2006, which provided answers to questions you had expressed with regard to the meaning of certain interrogatories. Please let me know if you require further information in order to make full responses to these interrogatories.

Otherwise, I would ask that you supply responses to each of the above-referenced discovery requests upon receipt of this letter.

The Funds have been patient and tried as best they can to work with you toward a successful and amicable resolution of this matter. I appreciate the good faith you have shown in beginning to pay down your delinquency to the Funds and staying in contact with me regarding your efforts. That being said, it is imperative that the Funds' Trustees fulfill their obligation to collect all amounts owed them by SAI.

To date, SAI has remitted \$26,000.00 toward its delinquency, in the following amounts:

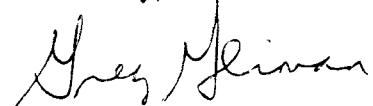
<u>AMOUNT</u>	<u>DATE RECEIVED</u>
\$10,000.00	November 14, 2005
\$1,000.00	November 14, 2005
\$10,000.00	January 9, 2006
\$5,000.00	January 19, 2006

In your February 2, 2006 voicemail, you informed me that you were in the process of collecting on some invoices but that you planned to pay another \$20,000.00 toward the Funds' delinquency by the end of February, 2006. At this time, the balance due on the first judgment against SAI, which was originally \$48,617.94 for the period of June, 2002 through December, 2003, has been reduced because of your payments to a total of \$22,617.94. As such, if SAI makes the planned payment of \$20,000.00, it will leave a balance of only \$2,617.94 on the first judgment.

However, please keep in mind that a second judgment has also entered, against SAI and you personally, for a total of \$189,653.80 for the period of July through December, 2004. Additional attorneys' fees totaling \$13,734.18 are also currently owed. It is my hope that the parties will be able to negotiate a payment plan for the remittance of the remaining amounts owed the Funds.

Again, I appreciate your cooperation to this point and look forward to working with you toward a successful resolution of this matter.

Sincerely,



Gregory A. Geiman

cc: Gina Alongi
Jim Bucci

Gregory A. Geiman

From: Teresa Sullivan
Sent: Tuesday, February 28, 2006 7:58 AM
To: Gregory A. Geiman
Subject: FW: SAI Surveying Corporation

Barbara responded to the e-mail I sent on your behalf. I think we should continue to e-mail them from your computer since she is just clicking the reply button.

-----Original Message-----

From: Saisurvey@aol.com [mailto:Saisurvey@aol.com]
Sent: Tuesday, February 28, 2006 7:33 AM
To: Teresa Sullivan
Subject: Re: SAI Surveying Corporation

Dear Greg:

I received this e-mail today, when I stopped by my office to collect my mail, on my way to another follow-up exam to my recent surgery.

Originally, we agreed to call each other when we sent mail. As I have not been in the office for the last three weeks due to the surgery, I apologize for not responding sooner. I did leave you a message telling you that I was going in for some precancerous polyp removals. As a result of being out, I will need one additional week to finish the responses and complete my collections. I will have all of my responses and the remaining amount into your office no later than March 10, 2006.

I am thankful that the funds have been patient and also hope we can negotiate a settlement on the second judgment.

Thank you.

Barbara A. Szepatowski

SEGAL, ROITMAN & COLEMAN

COUNSELLORS AT LAW

11 BEACON STREET

SUITE 500

BOSTON, MASSACHUSETTS 02108

ROBERT M. SEGAL (1915-1999)

OF COUNSEL

RICHARD W. COLEMAN
HAROLD B. ROITMAN
JOANNE F. GOLDSTEIN
JOSEPH P. MCKENNA, JR.
PAUL S. HOROVITZ

DONALD J. SIEGEL
PAUL F. KELLY
IRA SILLS
MARY THOMAS SULLIVAN*
SHELLEY B. KROLL
BURTON E. ROSENTHAL
ANNE R. SILLS
KATHRYN S. SHEA
INDIRA TALWANI**
ELIZABETH ARIENTI SLOANE
MICHAEL J. DOHENY
STEPHANIE R. PRATT-MITRA
GREGORY A. GEIMAN
RACHEL E. ROSENBLUM

* Also Admitted to the
New Hampshire Bar

**Also Admitted to
the California Bar

April 24, 2006

BY ELECTRONIC MAIL, CERTIFIED MAIL, RETURN
RECEIPT REQUESTED, AND FIRST CLASS MAIL

Barbara Szepatowski, President
SAI Surveying Corporation
23 Narraganset Avenue
Jamestown, RI 02835

Re: William Ryan and John J. Shaughnessy, as they are Trustees, International Union
of Operating Engineers Local 4 Health and Welfare, Pension and Annuity Funds,
et al vs. SAI Surveying Corporation
C.A. No. 03-12383 RCL

Louis G. Rasetta and John J. Shaughnessy, as they are Trustees, International
Union of Operating Engineers Local 4 Health and Welfare, Pension and Annuity
Funds, et al vs. SAI Surveying Corporation and Barbara Szepatowski
C.A. No. 05-10425 RCL

Dear Ms. Szepatowski:

On November 21, 2005, the Funds sent you the following discovery requests, responses to which were due under the Federal Rules of Civil Procedure on December 21, 2005. However, as of this date, I have still not received responses to the following documents:

1. Plaintiffs' Post-Judgment Request for Production of Documents to Defendant SAI Surveying Corporation;
2. Plaintiffs' Post-Judgment Interrogatories to Defendant Barbara Szepatowski; and
3. Plaintiffs' Post-Judgment Request for Production of Documents to Defendant Barbara Szepatowski.



Further, I have still not received a fully completed response to the Funds' Post-Judgment Interrogatories to Defendant SAI Surveying Corporation, which were due per a November 15, 2005 Court Order on November 29, 2005. As you know, per your request, I sent you e-mails on November 30, 2005, and again on January 11, 2006, which provided answers to questions you had expressed with regard to the meaning of certain interrogatories.

I have received repeated assurances from you via e-mail and voicemail that the responses to each of these discovery requests would be forthcoming. However, despite the Funds' great patience and cooperation, I have yet to receive them. As such, please be advised that if I do not receive the necessary responses, in their entirety, by **Friday, May 5, 2006**, I will file with Judge Lindsay a Motion to Compel the production of your responses, and further, will be forced to inform the Court of your failure to adhere in full to its November 15, 2005 Order.

Please call with any questions.

Sincerely,



Gregory A. Geiman
Gregory A. Geiman

cc: Gina Alongi
Jim Bucci

GAG/gag&ts
ARS 3118 03-255/szepatowski11.doc
✓ARS 3118 05-437/szepatwoski5.doc